

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

GARY W. KITCHENS and DONNA M.
KITCHENS (Husband and Wife),

NO. CV-05-0189-EFS

Plaintiffs,

v.

MIDLAND CREDIT MANAGEMENT,
INC.,

Defendant.

**ORDER DISMISSING ACTION
PURSUANT TO THE PARTIES'
STIPULATION OF DISMISSAL**

Before the Court, without oral argument, is the parties' Stipulation Dismissing Case and Joint Motion for Entry of Order Dismissing Case ("Stipulation of Dismissal") (Ct. Rec. 18). In their Stipulation of Dismissal, the parties stipulate to a dismissal of Plaintiffs Gary and Donna Kitchens' claims against Defendant Midland Credit Management, Inc. *Id.* The above-described dismissal is with prejudice and without the award of costs to any party. *Id.* Based on the parties' Stipulation of Dismissal and pursuant to Federal Rule of Civil Procedure 41(a), this action is hereby dismissed with prejudice and without the award of costs to any party.

Accordingly, **IT IS HEREBY ORDERED:**

1. Pursuant to the parties' Stipulation of Dismissal (Ct. Rec. 18), this action is **DISMISSED WITH PREJUDICE.**

IT IS SO ORDERED. The District Court Executive is directed to enter this Order and provide a copy of the Order to counsel and **CLOSE THIS FILE.**

s/ Edward F. Shea
EDWARD F. SHEA
United States District Judge